

FEDERAL ELECTION COMMISSION

999 E Street, N.W.

Washington, D.C. 20463

2013 FEB 13 PM 5: 33

CELA

FIRST GENERAL COUNSEL'S REPORT

MUR: 6617

DATE COMPLAINT FILED: July 31, 2012

DATE OF NOTIFICATION: August 6, 2012

LAST RESPONSE RECEIVED:

September 26, 2012

DATE ACTIVATED: October 16, 2012

EXPIRATION OF SOL:

July 23, 2017 (earliest)

July 30, 2017 (latest)<sup>1</sup>

COMPLAINANT:

James Black

RESPONDENTS:

Christie Vilsack

Christie Vilsack for Iowa and John P. Kibbie in his  
official capacity as treasurer

American Federation of State, County & Municipal  
Employees, AFL-CIO

House Majority PAC and Shannon Roche in her  
official capacity as treasurer

Service Employees International Union Committee  
on Political Education and Eliseo Medina in his  
official capacity as treasurer<sup>2</sup>

RELEVANT STATUTES

AND REGULATIONS:

2 U.S.C. § 434(b)

2 U.S.C. § 441a(a), (f)

2 U.S.C. § 441b

11 C.F.R. § 109.23

<sup>1</sup> The latest statute of limitations date is based on the last expenditure that the Respondents made in connection with the advertisements at issue in this matter, as listed in their disclosure reports filed with the Commission.

<sup>2</sup> The responses filed by the American Federation of State, County & Municipal Employees, AFL-CIO and House Majority PAC also identify the Service Employees International Union Committee on Political Education ("SEIU COPE") as having made expenditures for an ad that used the same video footage at issue. After confirming through its disclosure reports that SEIU COPE did make expenditures to the same vendors and on the same dates as the other Respondents in connection with an ad in support of Vilsack, the Office of General Counsel ("OGC") notified SEIU COPE as a potential respondent. SEIU COPE did not respond to the notification.

13044344286

**INTERNAL REPORTS CHECKED:** Disclosure Reports

**FEDERAL AGENCIES CHECKED:** None

## **I. INTRODUCTION**

This matter concerns allegations that the American Federation of State, County & Municipal Employees, AFL-CIO ("AFSCME") and House Majority PAC made excessive or prohibited in-kind contributions to Christie Vilsack for Iowa (the "Committee") by republishing the Committee's campaign materials in advertisements.<sup>3</sup> The Complaint also alleges that Vilsack and the Committee were prohibited from receiving this "illegal contribution" but does not allege that the republication of materials was coordinated with the candidate or the Committee. The SEIU COPE also paid to produce its own ad using the same campaign materials.

As discussed below, AFSCME, House Majority PAC, and SEIU COPE aired ads that used materials the Committee created, and their use of the Committee's campaign materials, even "in part," constitutes an in-kind contribution to the Committee.<sup>4</sup> Therefore, we recommend that the Commission find reason to believe that House Majority PAC violated 2 U.S.C. §§ 441a(a), 441b(a), and 434(b), that AFSCME violated 2 U.S.C. § 441b(a), and SEIU COPE violated 2 U.S.C. §§ 441a(a) and 434(b). Because the available information indicates that AFSCME, House Majority PAC, and SEIU COPE obtained the video footage from a publicly

<sup>3</sup> House Majority PAC is an independent expenditure-only political committee, and has not established a separate account for contributions subject to the limitations and prohibitions of the Federal Election Campaign Act of 1971, as amended. See Stipulated Order and Consent Judgment in *Carey v. FEC*, No. 11-259-RMC (Aug. 19, 2011); see also FEC Statement on *Carey v. FEC*: Reporting Guidance for Political Committees that Maintain a Non-Contribution Account (Oct. 5, 2011), <http://www.fec.gov/press/Press2011/20111006postcarey.shtml>. AFSCME is a labor organization that reports to the Commission as a person or organization (other than a political committee) that makes independent expenditures, and SEIU COPE is registered with the Commission as the separate segregated fund of a labor organization.

<sup>4</sup> 11 C.F.R. § 109.23(a).

13044344287

1 available source and not in coordination with the Committee, we recommend that the  
2 Commission find no reason to believe that Christie Vilsack and the Committee violated 2 U.S.C.  
3 §§ 441a(f) or 441b(a) by accepting an excessive or prohibited in-kind contribution from  
4 AFSCME, House Majority PAC, and SEIU COPE.

## 5 II. FACTUAL AND LEGAL ANALYSIS

### 6 A. Factual Background

7 On July 18, 2011, the Committee posted an Internet video announcing Vilsack's  
8 candidacy for Iowa's Fourth Congressional District.<sup>5</sup> The video is 108 seconds long and features  
9 Vilsack speaking directly to the camera interspersed with footage of her interacting with  
10 constituents at a farm, restaurant, park, and other settings. Vilsack discusses a number of issues,  
11 including "the need for communication, compromise, and improved energy and broadband  
12 policies."<sup>6</sup>

13 Approximately a year later, on July 23, 2012, House Majority PAC and AFSCME began  
14 airing a 33-second television ad in support of Vilsack using some of the same footage from  
15 Vilsack's 2011 video.<sup>7</sup> The House Majority PAC and AFSCME's ads, which are identical

<sup>5</sup> See Christie Vilsack for Iowa Announcement, ChristieVilsack4Iowa YouTube Channel, <http://www.youtube.com/watch?v=YLo7QqHOFEM> (last accessed Feb. 9, 2013); Jennifer Jacobs, *Christie Vilsack: I'm running for Congress to take civility to Washington*, DES MOINES REGISTER (Jul. 19, 2011), <http://blogs.desmoinesregister.com/dmr/index.php/2011/07/19/christie-vilsack-im-running-for-congress-to-take-civility-to-washington> (last accessed Feb. 9, 2013).

<sup>6</sup> Christie Vilsack for Iowa Resp. at 2 (Sept. 26, 2012) ("Vilsack Resp.").

<sup>7</sup> The Complaint alleges that AFSCME and House Majority PAC's advertisements aired a week after the Committee posted its original video, Compl. at 3. However, the Committee states that it uploaded Vilsack's announcement video on July 18, 2011, and AFSCME and House Majority PAC each state that they began airing their ads in July 2012. Vilsack Resp. at 2; AFSCME Resp. at 2 (Sept. 7, 2012); House Majority PAC Resp. at 1-2 (Sept. 24, 2012). Publicly available information on the Respondents' YouTube Channels, and press coverage regarding Vilsack's announcement of her candidacy corroborate this information. The ads can be viewed here <http://www.youtube.com/watch?v=51JA-cN0Vs> and here <http://www.youtube.com/watch?v=tN41WZFt-7c>. We were unable to locate a separate ad posted by SEIU COPE.

13044344288

1 except for the disclaimers, feature an Iowa teacher speaking favorably about Vilsack, with the  
2 narrative focusing on Vilsack's background as a teacher and her record of securing education  
3 funding.<sup>8</sup> At four intervals, the ads cut away from the video of the narrator and show segments  
4 of the original Committee footage of Vilsack meeting with constituents at various settings  
5 including a park and a farm. This background footage appears for approximately 11 to 12  
6 seconds of the 33-second ads.<sup>9</sup> The four segments do not appear in the same order as in the 2011  
7 video.<sup>10</sup>

8 The Respondents emphasize that "[t]he footage does not appear as a block, but rather as  
9 [three] separate interspersed segments," in the ads in order to provide "background imagery,"  
10 and that none of the audio was taken from the Committee's original video.<sup>11</sup> According to the  
11 Respondents, a media vendor altered "snippets" of Vilsack's original footage by cropping or  
12 enlarging them, and overlaying new on-screen graphics.<sup>12</sup> Further, unlike the 2011 video, the  
13 ads do not use any audio of Vilsack or images of her talking directly to the camera. Instead,  
14 House Majority PAC and AFSCME use approximately 11 non-consecutive seconds of footage of  
15 Vilsack speaking with constituents as background in the ads while an Iowa teacher speaks over  
16 the images.

17 The AFSCME and House Majority PAC advertisements were, as they acknowledge,  
18 identical. They were produced by the same media vendor, but each entity "paid its own

---

<sup>8</sup> House Majority PAC provides a transcript of its advertisement as part of its response to the Complaint.  
House Majority PAC Resp. at 1-2.

<sup>9</sup> AFSCME Resp. at 2.

<sup>10</sup> *Id.* at 2, 4.

<sup>11</sup> Vilsack Resp. at 2; AFSCME Resp. at 4; House Majority PAC Resp. at 2-3.

<sup>12</sup> AFSCME Resp. at 2, 4.

1304434289

1 production costs and purchased its own television time" for the ads.<sup>13</sup> AFSCME and House  
2 Majority PAC also state that SEIU COPE paid for production costs and television time to run the  
3 same ad under its own disclaimer.<sup>14</sup>

4 Each of the committees disclosed expenditures in connection with the ads in reports filed  
5 with the Commission.<sup>15</sup> The relevant independent expenditure reports filed with the  
6 Commission reveal that AFSCME, House Majority PAC, and SEIU COPE paid \$212,331.93 in  
7 costs related to the ads on July 23 and July 31, 2012. According to the Complaint, the ads were  
8 scheduled to run for two weeks.<sup>16</sup> The expenditures were reported as follows:

COMMITTEE	DATE	AMOUNT	VENDOR	PURPOSE
AFSCME	7/23/2012	\$6,166.01	Ralston Lapp Media	Production Costs - More of That
AFSCME	7/23/2012	\$28,500.80	Waterfront Strategies	TV ADS - More of That
House Majority PAC	7/23/2012	\$5,928.86	Ralston Lapp Media	Media Production Costs
House Majority PAC	7/23/2012	\$23,810.68	Waterfront Strategies	Television Advertising
SEIU COPE	7/23/2012	\$11,620.57	Ralston Lapp Media	TV Advertising Production
SEIU COPE	7/23/2012	\$37,151.95	Waterfront Strategies	TV Advertising Buy
AFSCME	7/30/2012	\$24,739.23	Waterfront Strategies	TV ADS - More of That
House Majority PAC	7/30/2012	\$28,860.85	Waterfront Strategies	Television Advertising
SEIU COPE	7/30/2012	\$45,552.98	Waterfront Strategies	TV Advertising Buy

<sup>13</sup> AFSCME Resp. at 2, n. 3; House Majority PAC Resp. at 1, n. 1.

<sup>14</sup> AFSCME Resp. at 2, n. 3; House Majority PAC Resp. at 1, n. 1.

<sup>15</sup> See AFSCME, Report of Independent Expenditures Made and Contributions Received ("IE Report"), at 2 (July 25, 2012); AFSCME IE Report at 2 (Aug. 1, 2012); House Majority PAC 24/48 Hour Notice of Independent Expenditures ("24/48-Hour Report") (July 25, 2012); House Majority PAC 24/48-Hour Report (July 31, 2012); SEIU COPE, 24/48-Hour Report (July 25, 2012); SEIU COPE, 24/48-Hour Report (July 31, 2012).

<sup>16</sup> Compl. at 1.

13044344290

1           The Complaint alleges that by using the "exact same footage that was created and  
2     produced by the Campaign" and used in the Committee's own advertisement, AFSCME and  
3     House Majority PAC republished the Committee's materials and made prohibited in-kind  
4     contributions.<sup>17</sup> The Complaint argues that "the cost of conceptualizing, producing, and  
5     broadcasting this advertisement is considered an in-kind contribution from both AFSCME and  
6     House Majority PAC to the Campaign."<sup>18</sup> The Complaint makes no allegations that the ads were  
7     made in coordination with the Committee and simply states that the candidate and the Committee  
8     would have been prohibited from receiving the in-kind contribution "unless the funds are subject  
9     to the limitations, prohibitions and reporting requirements."<sup>19</sup>

10           AFSCME and House Majority PAC submitted separate responses to the Complaint  
11     denying the alleged violations. They acknowledge that the ads include 11 to 12 seconds of B-  
12     roll footage taken from the Committee's 2011 video but assert that they acted independently of  
13     the Committee. They state that their media consultant "did not seek permission from Christie  
14     Vilsack" for the footage but rather obtained the footage directly from the Committee's YouTube  
15     Channel "by accessing a public website and used [it] without the knowledge or consent of  
16     Christie Vilsack, the Committee or an agent of either."<sup>20</sup> Their responses also state that the  
17     Complaint fails to allege any of the elements in the conduct prong required for a coordination  
18     violation.

---

<sup>17</sup>       *Id.* at 2-3.

<sup>18</sup>       *Id.* at 3.

<sup>19</sup>       *Id.*

<sup>20</sup>       AFSCME Resp. at 2-3; House Majority PAC Resp. at 2-3. The Committee also contends that [a] cursory review of the ads makes clear that that they were prepared independently of the Campaign," using "an original script, original on-screen text, and original background video." Vilsack Resp. at 2.

13044344291

1 AFSCME and House Majority PAC also contend that the ads "differed substantially"  
2 from the original Committee video<sup>21</sup> and argue that use of the Committee's video "snippets" was  
3 only an "incidental use" of publicly available materials. Thus, they maintain that their ads do not  
4 rise to the level of a republication of campaign materials as contemplated by the Federal Election  
5 Campaign Act of 1971, as amended, (the "Act") and Commission regulations.<sup>22</sup>

6 Additionally, AFSCME argues the ad fits within the "brief quote" exception to the  
7 republication provisions, and cites a Statements of Reasons ("SOR") in MUR 6357 in support.  
8 According to that SOR, the use of images or an "excerpt" could be considered a "quote" for  
9 purposes of the exception.<sup>23</sup> AFSCME contends that by using "brief quotes of the [Committee's]  
10 visual material," it is entitled to the "fair use benefits that flow from [the brief quotes]  
11 exception."<sup>24</sup>

## 12 B. Legal Analysis

13 Under the Act, the "financing by any person of the dissemination, distribution or  
14 republication, in whole or *in part*, of any broadcast or any written, graphic, or other form of  
15 campaign materials prepared by the candidate's authorized committee, or authorized agents shall  
16 be considered an expenditure."<sup>25</sup> The republication of campaign materials prepared by a  
17 candidate's authorized committee is an in-kind contribution, because the person financing the

<sup>21</sup> AFSCME Resp. at 2; House Majority PAC Resp. at 2.

<sup>22</sup> AFSME Resp. at 3-5; House Majority PAC Resp. at 3.

<sup>23</sup> AFSCME Resp. at 3-5; SOR, Comm'rs Hunter, McGahn, & Petersen at 5-6, MUR 6357 (American Crossroads).

<sup>24</sup> AFSCME Resp. at 5.

<sup>25</sup> 2 U.S.C. § 441a(a)(7)(B)(iii) (emphasis added). For republication, the Commission has concluded that "campaign materials" include any material belonging to or emanating from a campaign. *See, e.g.*, MUR 5743 (Betty Sutton) (candidate photo obtained from campaign website); MUR 5672 (Save American Jobs) (video produced and used by candidate's campaign subsequently hosted on association's website).

1 republication "has provided something of value to the candidate [or] authorized committee."<sup>26</sup>  
2 The Commission has explained that "Congress has addressed republication of campaign  
3 materials through 2 U.S.C. § 441a(a)(7)(B)(iii) in a context where the candidate/author generally  
4 views republication of his or her campaign material, *even in part*, as a benefit" and "can be  
5 reasonably construed only as for the purpose of influencing an election."<sup>27</sup>

6 The Commission's regulations set forth an exception to the republication provision when  
7 "the campaign material used consists of a *brief quote* of materials that demonstrate a candidate's  
8 position as part of a person's expression of its own views."<sup>28</sup> Additionally, the Commission  
9 created an exemption for grassroots activity on the Internet that allows individuals to republish  
10 campaign materials using the Internet without making a contribution or expenditure.<sup>29</sup> This  
11 exception, however, does not exempt from the definition of "contribution" any "public  
12 communication" that involves the republication of such materials.<sup>30</sup> For example, a contribution  
13 would result "if an individual downloaded a campaign poster from the Internet and then paid to  
14 have the poster appear as an advertisement in the New York Times."<sup>31</sup>

15 Here, AFSCME, House Majority PAC, and SEIU COPE disseminated campaign  
16 materials produced by the Committee when they aired their ads. AFSCME and House Majority

---

<sup>26</sup> *Coordinated and Independent Expenditures*, 68 Fed. Reg. 442, 442 (Jan. 3, 2003).

<sup>27</sup> *Id.* at 443; *Coordinated Communications*, 71 Fed. Reg. 33,190, 33,191 (June 8, 2006) (emphasis added).

<sup>28</sup> 11 C.F.R. § 109.23(b)(4).

<sup>29</sup> *See Internet Communications*, 71 Fed. Reg. 18,589, 18,604 (Apr. 12, 2006); *see also* 11 C.F.R. §§ 100.94, 100.155.

<sup>30</sup> A "public communication" is defined as a communication by means of any broadcast, cable or satellite communication, newspaper, magazine, outdoor advertising facility, mass mailing or telephone bank, or any other form of general political advertising. 11 C.F.R. § 100.26.

<sup>31</sup> *See* 71 Fed. Reg. at 18,604.

13044344293



1 PAC admit to obtaining the footage of Vilsack directly from a video the Committee created in  
2 2011 and paying for production costs and air time to broadcast the ads on television featuring  
3 that footage. The available information indicates that SEIU COPE engaged in the same activity.  
4 By using the Committee's original video footage, the Respondents have republished campaign  
5 material in their ads and, as a consequence, made in-kind contributions to the Committee.

6 AFSCME and House Majority PAC argue that the video footage of Vilsack does not  
7 amount to republication because it is publicly available, an "incidental" part of their ads, and  
8 intended merely as background. But the plain language of the statute and Commission provides  
9 flatly that the use "in whole or in part," of any campaign material prepared by the campaign is  
10 republication and will result in an in-kind contribution.<sup>32</sup> Moreover, in a 2003 rulemaking, the  
11 Commission rejected an argument to "permit the republication of campaign slogans and other  
12 limited portions of campaign materials for analysis and other uses."<sup>33</sup> The Commission rejected  
13 the proposed exception, explaining that it could "swallow the rule."<sup>34</sup>

14 Respondents also argue that their use of the video footage qualifies under the "brief  
15 quote" exception in the Commission regulations. The video footage of Vilsack that the  
16 Respondents use, however, does not "quote" or express Vilsack's views, either through words or

---

<sup>32</sup> See 2 U.S.C. § 441a(a)(7)(B)(iii) and 11 C.F.R. § 109.23.

<sup>33</sup> 68 Fed. Reg. at 443.

<sup>34</sup> *Id.* In some cases, the Commission has found that a third party republished campaign materials but declined to pursue the apparent violation because the value of the contribution was likely *de minimis* or because the republished material was only an incidental part of the overall communication (such as the use of a stock photo obtained from a campaign website). In such cases, the Commission has issued admonishments or taken no further action. See MUR 5743 (Betty Sutton) (Commission admonished committee after determining that republished candidate photo was incidental and likely of *de minimis* value); MUR 5996 (Tim Bee) (Commission exercised prosecutorial discretion to dismiss allegation that group republished photo of candidate that comprised two seconds of a 30-second ad and was downloaded at no charge from candidate's publicly available website). The video footage here, however, cannot be likened to these *de minimis* uses; unlike a photo displayed on a screen for a few fleeting seconds, the video footage was a material part of the ads.

1 imagery.<sup>35</sup> Instead, the ads promote Vilsack's candidacy by describing her professional  
2 experience. Nor is the Respondents' use of 11 to 12 seconds of the Committee's footage in a 33-  
3 second ad "brief." The video footage of Vilsack appears in about one-third of the ad's content.  
4 In fact, all of the video footage of Vilsack featured in the ads came entirely from the  
5 Committee's 2011 video. Because we read the "brief quote" exception narrowly to ensure that it  
6 is consistent with the Act's instruction that circulating a candidate's ad — even *in part* —  
7 constitutes republication, we conclude that the ads republished campaign materials and  
8 "provided something of value to the candidate [or] authorized committee."<sup>36</sup>

9 Therefore, we recommend that the Commission find reason to believe that House  
10 Majority PAC violated 2 U.S.C. §§ 441a(a), 441b(a),<sup>37</sup> and 434(b), that AFSCME violated  
11 2 U.S.C. § 441b(a), and SEIU COPE violated 2 U.S.C. §§ 441a(a) and 434(b), by making  
12 prohibited or excessive in-kind contributions to the Committee when they republished its

<sup>35</sup> But see SOR at 5-6, MUR 6357 ("It would be odd to suggest that a direct candidate quote would be less republication than use of images.").

<sup>36</sup> See 68 Fed. Reg. at 442-443 (stating that Congress has addressed republication . . . even in part, as a benefit to the candidate); 2 U.S.C. § 441a(a)(7)(B)(iii).

<sup>37</sup> While section 441b(a) does not expressly prohibit a political committee from making a corporate contribution, the provision was originally enacted on the premise that committees could not accept corporate contributions at all. In enforcing the ban on corporate contributions in the context of party committees using non-federal funds for federal activities, the Commission has taken the position that a political committee may violate section 441b(a) by spending or disbursing corporate funds. See MUR 3774 (National Republican Senatorial Committee) (finding probable cause to believe that party committee violated 2 U.S.C. § 441b and 441a(f) and 11 C.F.R. § 102.5(a) by using prohibited and excessive funds for Get Out the Vote activities that benefited federal candidates); Conciliation Agreement ¶ V, MUR 1625 (Passaic County Democratic Party) (state party committee, which used non-federal funds to make coordinated party expenditures, admitted that it violated section 441b(a) "by using funds prohibited in connection with federal elections"). Moreover, in MUR 4788 (California Democratic Party), the Commission found reason to believe that the California Democratic Party and the Democratic State Central Committee of California violated 2 U.S.C. § 441b and 11 C.F.R. § 102.5(a)(1)(i) by disbursing non-federal funds for communications expressly advocating the election of a federal candidate that would have either resulted in independent expenditures or in-kind contributions if coordinated with the candidate. The Commission ultimately filed suit against the respondents, obtained summary judgment that the state party committees violated section 441b and 11 C.F.R. § 102.5 by using non-federal funds to make disbursements for advertisements constituting independent expenditures. See *FEC v. California Democratic Party*, 2004 WL 865833, Civ. No. 03-0547 (E.D. Cal. Feb. 13, 2004).

13044344295

1 campaign materials, and by failing to disclose the expenditures as contributions to the  
2 Committee.<sup>38</sup>

3 We do not recommend that the Commission find that Vilsack or the Committee violated  
4 the Act. As the recipient of an alleged republication benefit, the candidate or committee that  
5 prepared the original video footage of the candidate "does not receive or accept an in-kind  
6 contribution, and is not required to report an expenditure, unless the dissemination, distribution,  
7 or republication of campaign materials is a coordinated communication under 11 CFR 109.21 or  
8 a party coordinated communication under 11 CFR 109.37."<sup>39</sup> The Complaint does not make any  
9 coordination allegations, and AFSCME and House Majority PAC each deny that they  
10 coordinated with the Committee. AFSCME and House Majority PAC both contend that they  
11 obtained the Committee video footage directly from a publicly available website, and we are  
12 aware of no facts to the contrary. Accordingly, we recommend that the Commission find no  
13 reason to believe that Vilsack or the Committee violated the 2 U.S.C. §§ 441a(f) or 441b by  
14 accepting an excessive or prohibited in-kind contribution from AFSCME, House Majority PAC,  
15 or SEIU COPE in connection with republished campaign materials.

<sup>38</sup> Upon further reflection on this emerging area of law, our recommendations here deviate from those made in MUR 6357 (American Crossroads). In MUR 6357 (American Crossroads), OGC recommended that the Commission find reason to believe that American Crossroads – an independent expenditure-only political committee – violated 2 U.S.C. § 441a(a) but not § 441b when American Crossroads made a contribution to a candidate. Furthermore, in MUR 6357, OGC recommended to dismiss, as a matter of prosecutorial discretion, allegations that the respondent violated 2 U.S.C. §§ 441a(f) and 441b by accepting excessive and prohibited contributions. For the reasons articulated above, *supra* n. 37, we believe it appropriate to also recommend that House Majority PAC violated 2 U.S.C. § 441b. As to the former issue, we do not believe it necessary to reach that issue here.

<sup>39</sup> 11 C.F.R. § 109.23(a). A communication is coordinated with a candidate, a candidate's authorized committee, or agent of the candidate or committee when the communication satisfies the three-pronged test set forth at 11 C.F.R. § 109.21(a): (1) the communication is paid for by a person other than that candidate or authorized committee; (2) the communication satisfies at least one of the content standards set forth in 11 C.F.R. § 109.21(c); and (3) the communication satisfies at least one of the conduct standards set forth in 11 C.F.R. § 109.21(d).

13044344296

1

2

3

4

5

6

7

8

9

10

11

12

13

14 **IV. RECOMMENDATIONS**

15 1. Find reason to believe that American Federation of State, County & Municipal  
16 Employees, AFL-CIO violated 2 U.S.C. § 441b(a).

17

18 2. Find reason to believe that House Majority PAC and Shannon Roche in her official  
19 capacity as treasurer violated 2 U.S.C. §§ 441a(a), 441b(a), and 434(b).

20

21 3. Find reason to believe that Service Employees International Union Committee on  
22 Political Education and Eliseo Medina in his official capacity as treasurer violated  
23 2 U.S.C. §§ 441a(a) and 434(b).


24


13044344297

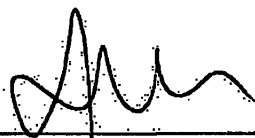
4. Find no reason to believe that Christine Vilsack and Christie Vilsack for Iowa and John Kibbie in his official capacity as treasurer violated 2 U.S.C. §§ 441a(f) or 441b(a), and close the file as to them.
5. Approve the attached Factual and Legal Analyses.
6. Enter into conciliation with American Federation of State, County & Municipal Employees, AFL-CIO; House Majority PAC and Shannon Roche in her official capacity as treasurer; and Service Employees International Union Committee on Political Education and Eliseo Medina in his official capacity as treasurer.
7. Approve the proposed attached conciliation agreements with American Federation of State, County & Municipal Employees, AFL-CIO; House Majority PAC and Shannon Roche in her official capacity as treasurer; and Service Employees International Union Committee on Political Education and Eliseo Medina in his official capacity as treasurer.
8. Approve the appropriate letters.

Anthony Herman  
General Counsel

2-13-12  
Date

  
Kathleen M. Guith  
Deputy Associate General Counsel  
for Enforcement

  
Peter G. Blumberg  
Assistant General Counsel

  
Ana Peña-Wallace  
Attorney

13044344298

1  
2  
3  
4  
5  
6  
7  
8  
9

13044344299